

JOB SAFETY CONSULTANT

Back issues available to paid subscribers — \$3.00 each. Check must accompany order.

BUSINESS RESEARCH PUBLICATIONS, INC.

87 Terminal Drive • Plainview, N. Y. 11803 (516-349-1010)

INDEX

1982

REFERENCES INDICATE MONTH OF ISSUE AND QUESTION NUMBER

ABATEMENT

What If The Supervisor Of One Of Our Branches Never Told Us That He Was Inspected And Cited	5-2318
Does It Pay For Us To Act Promptly To Correct Safety Violations	6-2342
Must We Immediately Discontinue An Operation That The Inspector Claimed Was A Safety Violation	7-2362

APPEALS

If We File An Appeal And Lose Can The Penalty Be Increased	3-2295
Can We Collect Attorney's Fees If We're Successful In Appealing Citations	3-2302
Are Employers Still Appealing Many Cases To The Review Commission And Courts	5-2319
Should We Ask For An Informal Conference With OSHA To Try To Work Out A Settlement	5-2322
If We Appeal A Citation, Are We Entitled To See The Inspector's Notes	8-2372
If I Appeal An OSHA Citation, Do I Have To Appear Personally At The Hearing	10-2401
Are We Entitled To Additional Time Because The Citation Was Routed To The Wrong Department	10-2404
Does The Time To File An Appeal Start Running When The Citation Is Received By Our Mail Room	11-2414
Can I Get An Extension If The Citation Arrived While I Was Away On Vacation	12-2440

CITATIONS & VIOLATIONS

Can Someone Injured While Touring Our Plant Sue Us Claiming His Injuries Were Due To OSHA Violations	3-2290
Can I, As The Employer, Be Charged With A Violation If I Was Willing To Expose Myself To The Hazard	6-2346
Can We Be Cited For A Guarding Violation, Even Though Our Competitors With The Same Setup Received A Clean Bill Of Health	6-2348
Can We Be Cited For A Violation Even Though Corrective Action We Took Passed Muster On A Follow-Up Inspection	7-2365
Is It Necessary For OSHA To Prove That We Knew We Were Violating The Job Safety Act	9-2394
Are Conditions Creating A Possible Risk Of Harm To Employees A Violation	12-2428

COMPLAINTS

How Promptly Should We Respond To Employee Complaints About Hazardous Conditions	4-2314
Can We Be Cited Even Though The Same Condition Existed At A Prior Inspection—And Nothing Was Said	5-2323
Can Employers Discriminate Against Workers For Making Safety Complaints To Their Supervisors	6-2335
Do Workers Have The Right To Be Abusive In Making Complaints About Workplace Hazards	6-2336

CONSTRUCTION—Contractors & Subcontractors

Must We Post A "Flagman Ahead" Sign As Well As A Flagman With A "Stop" Sign When Doing Road Repair Work	2-2287
Should A Subcontractor On A Multi-Employer Worksite Be Cited For Violations Over Which He Has No Control	3-2291
Can We Get Into Trouble Because Employees Put Up A Plank 14 Feet Above The Ground To Use As A Bridge	7-2363
Is There Any Correlation Between The High Cost Of Construction And The Industry's Poor Safety Record	8-2366

CRANES—HEAVY EQUIPMENT

Is It Permissible To Allow Employees To Hitch Rides To A Work Area On Heavy Equipment	2-2276
Must Special Precautions Be Taken When Using A Crane With A Nonretractable Boom	2-2277
Is It Enough If Our Operators Check Their Overhead Cranes' Brake System Daily By Depressing The Brake Pedals	2-2278
Can Operators Refuse To Wear Seat Belts When Operating Earth-Moving Equipment Equipped With ROPS	2-2285
Can An Employee Be Used As A Signaller When Our Dump Trucks Are Operated In Reverse	2-2286
Is It Sufficient That Our Crane Cabs Contain Charts Showing How To Calculate Safe Lifting Capacity	7-2361
Can We Have Laborers Act As Signalmen When Our Bidirectional Earthmoving Equipment Is Operated In Reverse	9-2391

APR 11 1983
C.C.
Can We Substitute Wire Sections For Cotter Pins 10-2406
Secure The Boom Sections On Our Crane 10-2406

ELECTRICAL

Must The Locked High-Voltage Panel Boxes On Our Machinery Be Equipped With Disconnect Switches	3-2300
Is It Okay To Go Ahead With A Repair Job If Nearby High-Voltage Lines Have Not Been Deenergized	5-2329
Can We Be Cited If We Didn't Know The Ground-Fault Circuit Interrupter We Were Using At A Construction Site Was Defective	6-2339
Do We Need Specialized Electrical Safety Wiring And Equipment Because Of Accumulations Of Combustible Dust	8-2369
If Portable Lighting Is Already Installed At A Hazardous Job Site Must I Check The Voltage	8-2370
Are We Responsible If The Phone Company Installs An Unapproved Electrical Socket	12-2439

EMPLOYEE DISCIPLINE

Can We Discipline An Employee Who Drilled Holes In His Hard Hat So The Air Can Circulate	6-2341
Can We Throw The Book At An Employee Who Ignored Rules Requiring Respirators While Working On A Degreaser Unit	8-2368
Can We Get Into Trouble For Firing An Unsatisfactory Employee Who Filed A Safety Complaint	8-2374
Can We Discipline Workers Who Walk Off The Job Because Of Unsafe Conditions, If Our Union Contract Provides For Binding Arbitration	8-2375
Can We Discharge An Employee Who Was Injured Several Times While Not Wearing Safety Equipment	9-2388
Can We Fire An Employee For Insubordination Because He's Afraid To Work At His Machine	9-2393
Is It Sufficient That We Enforce Our Safety Rules By Severely Reprimanding Employees	10-2396
Can We Fire An Employee Who Deliberately Removed A Machine Guard	12-2426

EMPLOYER RESPONSIBILITY

Can We Be Held Responsible If An Employee Deliberately Violates Our Safety Rules And Injures Himself	2-2273
Can We Claim Isolated Unforeseeable Misconduct If The Violation Has Existed For A While	3-2294
Can We Be Cited If An Employee "Borrows" Defective Equipment From Us Without Permission To Use It On A Moonlighting Job	3-2296
Are We Responsible If One Of Our Crews Is Cited While Doing A Favor For Another Contractor	3-2301
Can The Fact That We Violated OSHA Regulations Be Used Against Us In A Lawsuit	9-2380
Is An Employee Temp Agency Responsible For Conditions At Workplaces To Which It Sends Employees	9-2384
Who Decides Whether An Employee Is Physically Able To Work—Management Or The Worker	10-2397

ENFORCEMENT ACTIVITIES

Does The Decline In Workplace Injuries And Illnesses Mean Less Chance Of An OSHA Inspection	2-2272
Will A Cut In OSHA's Budget Mean Fewer Inspections	3-2288
If Our Company Is Doing A Job For The State Or A City, Are We Still Subject To OSHA Regulations	5-2333
Do Many Business People Now Feel There's Less Need To Worry About Safety And Health	7-2350

EXCAVATIONS & TRENCHES

What Section Of The Trench Should Be Measured To Determine Proper Sloping	1-2271
Is It Sufficient To Use The Sense Of Smell To Test For The Presence Of Gas In A Pipeline Excavation	7-2355
Must We Slope Or Shore The Walls Of An 11-Foot-Deep Trench, Even Though The Lower Eight Feet Is Hard Bedrock	7-2358
Are Trenches Excavated From Frozen Soil Exempted From Shoring And Sloping Regulations	9-2387
Must We Provide Workers With Safety Instruction On Trenching Hazards	10-2409
Can We Slope The Sides Of An Excavation At A 45° Angle When Impractical To Use A Trench Box Or To Shore	12-2438

FIRE SAFETY

Are There Any Special Requirements When Installing An Air Conditioner Near Flammable Liquids	2-2284
--	--------

Can We Require Our Employees To Take A Fire Training Course Out-Of-Town, For Which They'll Be Paid Salary Plus Expenses	5-2326	Are There Recent Findings Relating To Stress And Other Health Problems Among Office Workers	7-2352
Is It My Fault If A Couple Of My Workers Tried To Heat A Drum Of Highly Flammable Liquid With A Blow Torch	5-2330	Is It Our Fault If We Honestly Believed That The Materials Our Workers Were Handling Were Not Asbestos	7-2354
FIRST AID—MEDICAL		Can We Rely On Our Supplier's Certification That Its Talc Contains No Asbestos	11-2418
How Nearby Must Eyewash Facilities Be To Employees Exposed To Corrosive Materials	1-2261	Can We Be Charged With Excessive Levels Of Wood Dust, Under Mineral Dusts Regulations	11-2420
Can An Employee Examine Her Medical Records If They Contain Information About A Psychiatric Condition	3-2292	Are Workers Who Operate Video Display Terminals Subject To Development Of Cataracts	12-2434
Do Insurance Companies Fail To Promptly And Fairly Settle Legitimate Workers Comp Claims	4-2309	HOUSEKEEPING—SANITATION—STORAGE	
Do I Need An Approved First Aid Kit If We're Only Eight Minutes Away From Our Infirmary	5-2324	Is Improper Storage Of Abrasive Grinding Wheels An OSHA Violation	1-2266
Can We Transfer An Employee Medically Unable To Wear A Respirator To Another Job Even Though It Means A Cut In Pay	6-2345	Can We Be Cited For Having Obstructed Aisles Even Though The Police Warned Us Not To Move Anything	7-2360
Is A Pregnant Employee Who Quits Her Job Because She Feared That Machinery Fumes Would Be Harmful Entitled To Unemployment Compensation Benefits	7-2364	Can We Crack Down On Unsanitary Conditions Resulting From Employees' Eating At Their Work Stations	8-2376
FORKLIFTS—RAIL CARS		Is It A Violation If The Floor Is Continuously Covered With A Thin Film Of Water	9-2386
Is It Unfair To Automatically Blame The Forklift Operator If A Pedestrian Is Injured By The Truck	1-2269	INSPECTIONS	
Can We Use Wooden Wheel Chocks To Keep Railroad Cars In Place Rather Than The Hand Brakes	5-2327	Do Inspectors Have The Right To Attach Personal Sampling Devices To Workers	5-2317
Can We Rely On Our Mechanic Who Says That Our Forklift Is Safe	10-2400	Must Employees Be Paid For Time Spent With NIOSH Investigators Conducting A Health Hazard Survey At Our Plant	5-2320
GUARDING—CONSTRUCTION		Can The Government Be Sued If An OSHA Inspector Fails To Spot A Hazardous Condition	7-2357
What Can I Do If The General Contractor Refuses To Install Protective Railings	10-2402	If An Inspector Shows Up To See If Certain Violations Were Corrected, Can He Cite Us For Other Violations	8-2371
Can We Post A Foreman To Make Sure Workers Do Not Stray Too Close To The Roof Edge	11-2417	Does OSHA Have The Right To Attach Personal Monitoring Devices To Workers To Check Their Exposure To Airborne Contaminants	8-2379
Must Canopies Extend Across The Entire Entrance Of A Building Under Construction	12-2432	When Must The Inspector Check The Accuracy Of His Air Pressure Gauge	9-2390
GUARDING—MACHINERY		Must We Permit The Inspector To Interview Employees On The Production Line In Private	11-2423
What If I Cannot Find A Supplier Who Can Manufacture A Satisfactory Machine Guard	1-2264	Can The Inspector Cite Us For A Violation Spotted Before The Inspection Began	12-2430
If Employees Would Use Commonsense, Would There Be Any Need For Machine Guards	1-2265	Can We Tell Our Employees That They're Not Obligated To Talk To The Safety Inspector	12-2437
Must Our Presses Have Guards Or Barriers To Protect Passersby	4-2316	LOCKOUT & TAGGING	
Who Is Responsible If An Employee Is Injured By An Unguarded Machine—The Machine Manufacturer Or The Employer	5-2331	Instead Of Having The Main Power Disconnect Switch Locked In The OFF Position, Is It Sufficient To Unplug The Press	2-2275
Can Our Power Press Lack Guards, Even Though The Job Operation Doesn't Require It	6-2347	Can The Overcurrent Devices And Master Disconnect Switches For Our Conveyors Be Located 12 Feet Above Floor Level	6-2338
Can A Worker Refuse To Run A Press Lacking A Guard, Even Though Installation Is Pending And He's Instructed How To Operate The Press Safely	7-2359	When Our Maintenance Crew Does Repair Work Inside A Furnace, Can We Tag The Power Control	10-2403
Are There Any Alternatives To Providing Guards At The Nip Points And Points Of Operation Of Our Metal Cutting Shear	8-2377	NOISE	
Is It A Guarding Violation If Employees Could Slide Their Fingers Between The Bars	9-2385	Which Is More Likely To Cause Hearing Loss: Steady Exposure To Excessive Workplace Noise, Or Intermittent Exposure	9-2382
Must We Comply With Machine Guarding Regulations While Maintenance Work Is Being Done	11-2411	Just How Effective Are Hearing Protectors, Such As Ear Muffs And Ear Plugs	10-2408
Can We Continue Using Our Shearing Machine Even Though A Holdown Guard Broke Off	11-2421	PREVENTIVE SAFETY	
Are We Excused From Guarding If The Usual Type of Guard Is Impractical	12-2435	Can We Deny Promotion To A Worker Who Is Too Nervous To Handle The Job	2-2274
Must We Install A Guard On Our Cylindrical Grinder—Even Though Regulations Don't Require It	12-2436	Is There Any Way For Us To Identify Potentially Accident-Prone Job Applicants	4-2310
HEALTH HAZARDS		RECORDKEEPING REPORTS & POSTING	
How Should We Handle Work Clothing That's Contaminated By Lead	2-2279	Are There Any Reports On Injuries To Workers Servicing Equipment	3-2293
Must Workers Exposed To Inorganic Arsenic Be Paid For Time Spent On Follow-Up Annual Physical Exams After Regular Work Hours	2-2280	What Parts Of The Body Are Most Commonly Injured In Industrial Accidents	4-2307
Do We Have To Let The Union's Industrial Hygienist Inspect The Plant For Possible Health Hazards	2-2281	How Come There Are So Few Complaints Now By Employers About The Paperwork Involved In OSHA Recordkeeping	6-2349
Must We Take Special Precautions With Employees Who Are Allergic To Certain Chemicals	3-2289	Are We Justified In Submitting Copies Of Injury And Illness Reports With The Employees' Names Deleted	7-2356
Can Employees Lose Overtime If Transferred Due To High Blood Lead Levels	4-2306	What Are Considered The Most Serious Occupational Diseases And Injuries	10-2399
Must We Require Employees To Wear Gloves If The Materials They Handle Cause A Minor Skin Rash	4-2308	SAFETY EQUIPMENT—PERSONAL	
Can We Be Cited For Excessive Silica Dust While We Were Repairing Our Central Vacuum System	5-2321	If Steel-Toed Shoes Prove Inadequate, Must They Still Be Worn	1-2259
Can Employees Eat Their Lunch In Areas With Toxic Levels Far Below OSHA Standard Maximums	5-2328	Must We Make Sure Employees Use Protective Equipment Correctly	1-2260
Is It Our Fault If A Chemical Spill Resulted In A Reading Of Excessive Airborne Contaminants During An Inspection	6-2343	Should We Let Employees Remove The Side Shields Of Their Safety Glasses For Improved Vision	2-2282
Is A One-Day Sampling Enough To Justify A Citation For Excessive Airborne Asbestos	6-2344	Must Kitchen Workers In A Restaurant Wear Safety Shoes	2-2283
		Is The Failure To Require Employees To Wear Proper Safety Equipment A Serious Violation	3-2299

REFERENCES INDICATE MONTH OF ISSUE AND QUESTION NUMBER

Is A No-Beard Rule Really Necessary For Workers Wearing Respirators	4-2305	Can Roofers Use A Scaffold Still Covered By Ice And Snow	12-2427
How Can We Determine Whether Steel-Toed Safety Shoes Provide Adequate Foot Protection For Our Workers	4-2312	SPRAY PAINTING	
Can The Union Object To Our New Rule Requiring Safety Glasses For Every Person In The Plant	6-2337	If We Regularly Perform Spray Finishing Work In A Corner Of Our Repair Shop, Must We Comply With OSHA Regulations	3-2297
Must Supervisors Wear Hard Hats When Such Headgear Is Required For Other Workers	7-2353	Is Cleaning Our Paint Spray Booths Once A Month, As Part Of Our Regular Maintenance Schedule, Good Enough	3-2298
Must Our Employees Who Handle 100-Pound Sheets Of Material Wear Safety Shoes	8-2373	Can We Use A Gasoline-Powered Forklift In A Spray Booth After Spray-Painting Has Been Completed	6-2340
Must We Require Welders' Helpers To Wear Proper Eye Protection	10-2405	WARRANTS	
Is It Enough To Provide Employees In Areas That Have Excessive Noise And Fumes With Ear Plugs And Respirators	11-2410	Can OSHA Obtain An Inspection Warrant Solely On The Basis Of A Newspaper Article	1-2263
Are Safety Glasses That Have Side Shields Sufficient For Employees Working Around Open-Surface Tanks	11-2416	Must We Pay Court Costs For Refusing To Honor An Inspection Warrant	9-2383
Can We Use Non-Approved Respirators Even Though They're Just As Effective	11-2424	Can NIOSH Obtain Insurance Company Records Relating To The Deaths Of Workers	9-2392
SAFETY RULES, INSTRUCTIONS, & PROGRAMS		Can An Inspector Threaten To Get A Warrant For A Wall-To-Wall Inspection	10-2398
Is It Necessary For Us To Hold Regularly Scheduled Safety Meetings	1-2258	UNIONS	
Do We Have To Go Beyond An Employee's Normal Job Functions When Instructing Him On Safety Precautions	1-2270	Must We Comply With A Request From The Union For A Generic Name List Of All The Chemicals Used At Our Plant	4-2303
Must We Give Safety Instructions To Our Highly Experienced Supervisors	4-2315	Are Unions Vulnerable To Lawsuits By Injured Workers	6-2334
Are There More Effective Methods For Conveying Safety Rules Than Posters And Other Visuals	5-2325	Can The Union Ask For Premium Pay When Employees Perform Work Under Conditions That Violate Government Safety Regulations	8-2378
How Effective Are Voluntary Labor-Management Self-Inspection Programs	7-2351	Why Don't Government Inspectors Get After The Workers—Or Their Unions—Who Violate Safety Regulations	10-2395
Are Our Weekly Safety Meetings Proof That Our Safety Rules Have Been Communicated To Employees	8-2367	UNSAFE WORKING CONDITIONS	
Are We Bound By Advisory Safety Standards Of Our Own Industry Group	9-2389	Can We Screen Off An Area, Where Welding Is Being Performed, With Plywood Partitions	1-2262
Can We Rely On Senior Employees To Instruct New Workers On Safety Precautions	11-2412	Can We Post An Employee At The Main Valve If The Dead-Man Control On Our Sandblasting Hose Becomes Inoperative	1-2267
Must We Follow Defense Department Safety Recommendations While Working On A Government Contract	11-2422	Is It A Willfull Violation If Our Interim Measures After A Safety Device Broke Down Are Deemed Inadequate	1-2268
Can We Require Female Workers To Pin Up Or Cover Their Hair—But Do Nothing About Male Workers	12-2425	Is An Employee Justified In Refusing To Work With A Machine If It Injured Him When It Double-Tripped	4-2313
Can We Bar Children From Plant Areas	12-2429	How Are We Supposed To Know About Every Safety Hazard If Employees Don't Bring Them To Our Attention	5-2332
Are We Responsible For Out-Dated Written Safety Instructions	12-2431	Can A Women Be Barred From Wearing A Skirt While Working Around Machinery, Despite Religious Objections	9-2381
SCAFFOLDS—LADDERS—GUARDRAILS		What Can We Do About An Operator Who Refuses To Drive A Certain Truck, Which He Claims Is Unsafe	10-2407
Do We Need Guardrails If Employees Periodically Climb Atop The Flat Surface Of Certain Machines For Adjustments And Maintenance Work	4-2304	Can We Be Cited For Sending Workers Back To Check Unsafe Conditions At A Jobsite	11-2415
Do We Have To Guard A Section Of Our Scaffold If We Get Frequent Deliveries There	4-2311	Can A Worker, Injured Because Of A Defective Machine, Sue Our Safety Director	12-2433
If It Is Impossible For Us To Provide Guardrails Or Safety Harnesses, Are We Excused From Complying	11-2413		
Do We Need Guardrails For Our Conveyors Because Employees Stand On Them For Maintenance Work	11-2419		

SAFETY TALKS

A Complete Program of Five-Minute Talks to Promote Safety

24 MAJOR TOPICS, Indexed, including:

"Unavoidable" Accidents

Fire Prevention

Falling Objects & Holes

Machine Tools & Machine Guards

Conveyors, Pallets, Drums

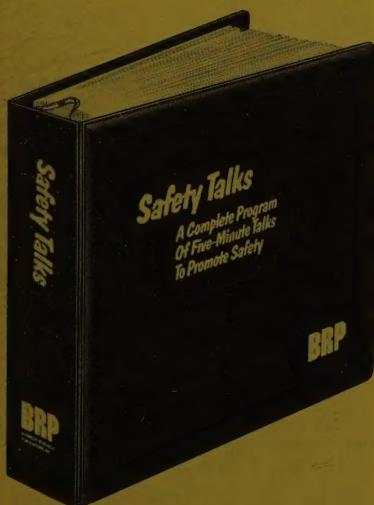
Forklifts, Handtrucks

The Best safety training your workforce can get is from your first-line supervisor. Unfortunately, many supervisors need help in selecting the right topic and then in getting that safety message across.

BRP's 750 page SAFETY TALKS manual covers every conceivable safety subject and can make any supervisor's meetings more effective. Its **Safety Talk Tips** section offers practical advice on how to run safety meetings.

Improved workplace safety pays. BRP's SAFETY TALKS will help establish and prove management's commitment to a hazard-free workplace. You are free to reproduce the SAFETY TALKS and distribute them to your supervisors.

\$115.00





SAFETY INSPECTION MANUAL

Covers most recent changes in OSHA regulations and over 200 checklists keyed directly to OSHA standards.

Will help you develop a low-cost, continuous safety & health program. Permits easy reproduction of checklists for internal distribution to department heads, etc. Ideal for supervisors to keep their departments safe and check quickly on standards covered by OSHA. **\$95.00**



PROTECT YOUR COMPANY FROM A TO Z

Prepared especially for the small to medium-sized company which cannot afford to staff a full-time Security Department.

Over 200 pages of policies, procedures, controls, checklists, forms, for an effective Security Program. Use it in planning and implementing a new security system. Use it in evaluating your current system. Use it as a training tool for employees and supervisors. Use it to help prevent future losses. **\$95.00**



PRODUCT LIABILITY PORTFOLIO

A Complete Product-Safety Program in One Reliable Source including 23 guidelines — 80 pages of forms, practices, policies, procedures, controls — for companies that make, market, service, sell industrial or consumer products.

Partially contributed by hundreds of forward-thinking companies, it includes some of the most carefully thought out Product Safety Programs available. **\$85.00**



RIGHTS, RISKS & RESPONSIBILITIES OF TODAY'S EXECUTIVE

Over 300 actual court case-histories which pinpoint potential hazards for the executive and provide guidance on every major area of executive concern — Employment Contracts — Compensation — Fringe Benefits — Job Performance — Loyalty — Personal Liability.

Could help avoid costly litigation. **\$95.00**

BUSINESS RESEARCH PUBLICATIONS INC.
87 Terminal Drive, Plainview, New York 11803

Please send me the Manuals checked below with the understanding that I may examine them for 10 days and if not satisfied, may return them for a full cash refund.

- | | |
|---|-------|
| <input type="checkbox"/> SAFETY TALKS | \$115 |
| <input type="checkbox"/> SAFETY INSPECTION MANUAL | 95 |
| <input type="checkbox"/> PROTECT YOUR COMPANY FROM A TO Z | 95 |
| <input type="checkbox"/> PRODUCT LIABILITY PORTFOLIO | 85 |
| <input type="checkbox"/> RIGHTS, RISKS & RESPONSIBILITIES OF
TODAY'S EXECUTIVE | 95 |

I wish to pay as follows:

- Check enclosed. Bill Company. Purchase order enclosed.
 Charge to my credit card: VISA MasterCharge
 American Express

Acc't # _____ Exp. Date _____

Signature _____

Name _____

Organization _____ Title _____

Address _____

City _____ State _____ Zip _____

Enclosed find \$_____ for the material checked above. (All postage and handling is included in the price.) On NY State orders add tax.